

#3



Express Mail No. ET 172 963 868 US

Docket No. PB 00 0013

**COMBINED DECLARATION AND
POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject material which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR A DATA FIRST OPTICAL NETWORK

the specification of which was filed on **February 16, 2001**, as United States Application Number **09/785,370**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Is Priority Claimed</u>
---------------	----------------	-----------------------------	----------------------------

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/183,486	02/18/2000

I hereby claim the benefit under Title 35, United States code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this



application was disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No.

Filing Date

Patented, Pending, or Abandoned?

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Kenneth J. Rudofski
Lawrence M. Cho

Reg. No. 35, 997
Reg. No. 39,942

Address all telephone calls to Kenneth J. Rudofski at telephone number:

630-512-7027

Address all correspondence to:

Tellabs Operations, Inc.
4951 Indiana Avenue
Lisle, IL 60532

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

This declaration names one inventor below.

Information about sole inventor;

(given name, family name):
Residence:

James W. Borchering
0 N 741 Prince Crossing
West Chicago, Illinois 60185 USA

Citizenship:
Post Office Address:

United States of America
Same

Sole Inventor's signature:

Date Signed:

James W. Borchering
MAY 30, 2001